

ITW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeffery Sterling, et al.
U.S. Serial No. : 10/718,879
Filed : November 20, 2003
For : PROPARGYL-TRIFLUOROMETHOXY-AMINO-
BENZOTHAZOLE DERIVATIVES

1185 Avenue of the Americas
New York, New York 10036
June 15, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48(a)

This is a Request To Correct Inventorship Under 37 C.F.R. §1.48(a) in connection with the above-identified patent application ("subject application").

An executed Declaration and Power of Attorney was filed May 12, 2004 in the subject application listing as inventors the following: Jeffery Sterling, Liat Hayardeny, Eliezer Falb, Yaacov Herzig, and David Lerner. Subsequently, the undersigned became aware that Eran Blaugrund is also an inventor, but through error was not named as an inventor.

Accordingly, please correct the inventorship by adding **Eran Blaugrund** as an inventor on the subject application. A Declaration Under 37 C.F.R. §1.48(a)(2) executed by Eran Blaugrund which states that the error in setting forth the inventorship in the executed Declaration and Power of Attorney filed May 12, 2004 occurred without deceptive intent on the part of Eran Blaugrund is attached hereto as **Exhibit A**.

Inventors: Jeffery Sterling, et al.
Application No.: 10/718,879
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Upon correction, the inventors on the subject application will be Jeffery Sterling, Liat Hayardeny-Nisimov, Eliezer Falb, Yaacov Herzig, David Lerner, and Eran Blaugrund.

Applicants attach hereto as **Exhibit B** a Declaration executed by Jeffery Sterling, Liat Hayardeny, Eliezer Falb, Yaacov Herzig, David Lerner, and Eran Blaugrund as required by 37 C.F.R. §1.63.

Applicants also respectfully request that the United States Patent and Trademark Office issue a corrected filing receipt upon entry of this Request.

In addition, the currently named inventors of the invention in the subject application, i.e., Jeffrey Sterling, Liat Hayardeny, Eliezer Falb, Yaacov Herzig, and David Lerner, assigned their rights in the subject application to Teva Pharmaceutical Industries, Ltd. The Assignment was submitted for recordation on June 2, 2004 in the United States Patent and Trademark Office. A Written Consent of the Assignee to add Eran Blaugrund as inventor in the subject application is attached hereto as **Exhibit C**.

Applicants hereby authorize the United States Patent and Trademark Office to charge the amount of \$130.00 as set forth in 37 C.F.R. §1.17(i) to cover the processing fee.

If a telephone interview would be of assistance in advancing the prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone either of them at that number provided below.

Inventors: Jeffery Sterling, et al.
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No fee, other than the \$130.00 processing fee is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

John P. White
Reg. No. 28,678
Gary J. Gershik
Reg. No. 39,992

Date

John P. White
Registration No. 28,678
Gary J. Gershik
Registration No. 39,992
Attorneys for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas New
York, New York 10036
(212) 278-0400



BEST AVAILABLE COPY

Dkt. 2609/67694-A/JPW/GJG/KRR/NDP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeffery Sterling, et al.
U.S. Serial No. : 10/718,879
Filed : November 20, 2003
For : PROPARGYL-TRIFLUOROMETHOXY-AMINO-
BENZOTHAZOLE DERIVATIVES

1185 Avenue of the Americas
New York, New York 10036

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION OF ERAN BLAUGRUND UNDER 37 C.F.R. §1.48(a)(2)

I, Eran Blaugrund, hereby declare that:

1. I have reviewed the above-identified ("subject") patent application, including the claims.
2. I am one of the inventors of the claimed invention in the subject application.
3. I understand that an executed Declaration and Power of Attorney was filed on May 12, 2004 in the subject application naming as inventors: Jeffery Sterling, Liat Hayardeny, Eliezer Falb, Yaacov Herzig, and David Lerner.
4. The invention described and claimed in the subject application was conceived by Jeffery Sterling, Liat Hayardeny, Eliezer Falb, Yaacov Herzig, David Lerner, and me.
5. Accordingly, the actual inventors of the claimed invention in the subject application are: Jeffery Sterling, Liat Hayardeny, Eliezer Falb, Yaacov Herzig, and David Lerner, and me.
6. The error in setting forth the inventorship in the executed Declaration and Power of Attorney filed on May 12, 2004 occurred without any deceptive intention on my part.

BEST AVAILABLE COPY

Inventors: Jeffery Sterling, et al.
Application No.: 10/718,879
Page 2 of 2

I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the subject application or any patent issuing thereon.



Eran Blaugrund

Dated: 8/6/05



Docket Number: 2609/67694-A/JPW/GJG/KRR

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

the specification of which:
(check one)

 is attached hereto.

 X was filed on November 20, 2003 as

Application Serial No. 10/718,879

and was amended November 20, 2003
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(h) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International Application which designated at least one country other than the United States, listed below. I have also identified below any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the earliest application from which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Yes</u>	<u>No</u>
<u>N/A</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
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<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

JPW Rev. 12/17/04

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

<u>Provisional Application No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>60/428,093</u>	<u>November 21, 2002</u>	<u>abandoned</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s), or Section 365(c) of any PCT International Application(s) designating the United States listed below. Insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date(s) of such prior Application(s) and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>N/A</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

And I hereby appoint

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Paul Teng (Reg. No. 40,837); Alan J. Morrison (Reg. No. 37,399); and Gary J. Gershik (Reg. No. 39,992).

and each of them, all c/o Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Declaration and Power of Attorney

Page 3

Please address all communications, and direct all telephone calls, regarding this application to:

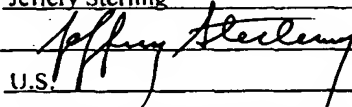
John P. White, Esq. Reg. No. 28,678
Cooper & Dunham, LLP (Customer Number 23432)
1185 Avenue of the Americas
New York, New York 10036
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or
first joint inventor

Jeffery Sterling

Inventor's signature



Date of signature 11 APRIL 2005

Citizenship

U.S.

Residence

1 Ha'havtacha St., Ramot 02, Jerusalem 97275, Israel

Post Office Address

same as above

Full name of additional
joint inventor (if any)

Liat Hayardeny

Inventor's signature

Liat Hayardeny

Date of signature

Citizenship

Israeli

Residence

37 Yehuda Hanasi St., Tel Aviv 69391, Israel

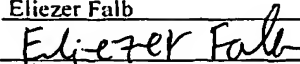
Post Office Address

same as above

Full name of additional
joint inventor (if any)

Eliezer Falb

Inventor's signature



Date of signature 11/4/2005

Citizenship

Israeli

Residence

17 Hanegba St., Givataim 53450, Israel

Post Office Address

same as above

Declaration and Power of Attorney

Page 3

Please address all communications, and direct all telephone calls, regarding this application to:

John P. White, Esq. Reg. No. 28,678
Cooper & Dunham, LLP (Customer Number 23432)
1185 Avenue of the Americas
New York, New York 10036
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor Jeffery Sterling
Inventor's signature _____ Date of signature _____
Citizenship U.S.
Residence 1 Ha'havtacha St., Ramot 02, Jerusalem 97275, Israel
Post Office Address same as above

Full name of additional joint inventor (if any) Liat Havardeny
Inventor's signature H.A. Havardeny Date of signature 11/4/05
Citizenship Israeli
Residence 37 Yehuda Hanasi St., Tel Aviv 69391, Israel
Post Office Address same as above

Full name of additional joint inventor (if any) Eliezer Falb
Inventor's signature _____ Date of signature _____
Citizenship Israeli
Residence 17 Hanegba St., Givataim 53450, Israel
Post Office Address same as above

Declaration and Power of Attorney

Page 4

Full name of additional
joint inventor (if any)Yaacov Herzig

Inventor's signature

Yaacov HerzigDate of signature April 12, 2005

Citizenship

Israeli

Residence

7 Hashirion St., Raanana 43266, Israel

Post Office Address

same as aboveFull name of additional
joint inventor (if any)David Lerner

Inventor's signature

Date of signature

Citizenship

Israeli

Residence

27/4 Yigal St., Ramot 02, Jerusalem 97241, Israel

Post Office Address

same as aboveFull name of additional
joint inventor (if any)Eran Blaugrund

Inventor's signature

Date of signature

Citizenship

Israeli

Residence

94 Remez St., Rehovot 76449, Israel

Post Office Address

same as aboveFull name of additional
joint inventor (if any)

Inventor's signature

Date of signature

Citizenship

Residence

Post Office Address

Declaration and Power of Attorney

Page 4

Full name of additional
joint inventor (if any)Yaacov Herzig

Inventor's signature

Date of signature

Citizenship

Israeli

Residence

7 Hashirion St., Raanana 43266, Israel

Post Office Address

same as aboveFull name of additional
joint inventor (if any)David Lerner

Inventor's signature

David LernerDate of signature April 12, 2005

Citizenship

Israeli

Residence

27/4 Yigal St., Ramot 02, Jerusalem 97241, Israel

Post Office Address

same as aboveFull name of additional
joint inventor (if any)Eran Blaugrund

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Date of signature

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Declaration and Power of Attorney

Page 4

Full name of additional
joint inventor (if any)Yaacov Herzig

Inventor's signature

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7 Hashirion St., Raanana 43266, Israel

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Inventor's signature

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same as aboveFull name of additional
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Inventor's signature

Date of signature

11/4/05

Citizenship

Israeli

Residence

94 Remez St., Rehovot 76449, Israel

Post Office Address

same as aboveFull name of additional
joint inventor (if any)

Inventor's signature

Date of signature

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BENZOTHAZOLE DERIVATIVES



1185 Avenue of the Americas
New York, New York 10036

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CONSENT OF ASSIGNEE PURSUANT TO 37 C.F.R. §1.48(a)(5) TO
CORRECT INVENTORSHIP

TEVA PHARMACEUTICAL INDUSTRIES, LTD. having a place of business at 5 Basel Street, P.O. box 3190, Peach-Tikva, 49131 in Israel, is the assignee of record of the right, title and interest of Jeffery Sterling, et al., U.S. Serial No. 10/718,879, filed November 20, 2003, by virtue of an assignment from Jeffery Sterling, Liat Hayardeny, Eliezer Falb, Yaacov Herzig, and David Lerner submitted for recordation on June 2, 2004, a copy of which is attached hereto as **Exhibit 1**.

Pursuant to 37 C.F.R. §1.48(a)(5), TEVA PHARMACEUTICAL INDUSTRIES, LTD. consents to the addition of Eran Blaugrund as a coinventor on the above-identified application.

I have reviewed the assignment attached hereto and certify that, to the best of my knowledge and belief, TEVA PHARMACEUTICAL INDUSTRIES, LTD. has all the right, title and interest in and to the subject patent. I further certify that

Inventors: Jeffery Sterling, et al.
Application No.: 10/718,879
Page 2 of 2

I am authorized to sign on behalf of the assignee, TEVA
PHARMACEUTICAL INDUSTRIES, LTD.

I hereby declare that all statements made herein of my own
knowledge are true, and that all statements made on
information and belief are believed to be true; and further
that these statements are made with the knowledge that willful
false statements and the like so made are punishable by fine
or imprisonment, or both, under Section 1001 of Title 18 of
the United States Code and that such willful false statements
may jeopardize the validity of the patent.

TEVA PHARMACEUTICAL INDUSTRIES, LTD.

Date: 14/4/04

By: _____

Yehudah Linyeh
Manager, Patents Department

Date: _____

By: _____

Irit Pinchasi
Vice President, Global Innovative
Research and Development

Inventors: Jeffery Sterling, et al.
Application No.: 10/718,879
Page 2 of 2

I am authorized to sign on behalf of the assignee, TEVA
PHARMACEUTICAL INDUSTRIES, LTD.

I hereby declare that all statements made herein of my own
knowledge are true, and that all statements made on
information and belief are believed to be true; and further
that these statements are made with the knowledge that willful
false statements and the like so made are punishable by fine
or imprisonment, or both, under Section 1001 of Title 18 of
the United States Code and that such willful false statements
may jeopardize the validity of the patent.

TEVA PHARMACEUTICAL INDUSTRIES, LTD.

Date: _____ By: _____
Yehudah Livneh
Manager, Patents Department

Date: 10/4/05 By: [Signature]
Irit Pinchasi
Vice President, Global Innovative
Research and Development

Assignment

In consideration of One Dollar (\$1.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, we, the undersigned,

Jeffrey Sterling, residing at 1 Ha'havtacha St., Ramot 02, Jerusalem 97275, Israel, Liat Hayardeny, residing at 37 Yehuda Hanasi St., Tel-Aviv 69391, Israel, Eliezer Falb, residing at 17 Hanegba St., Givataim 53450, Israel, Yaacov Herzig, residing at 7 Hashirion St., Raanana 43266, Israel and David Lerner, residing at 27/4 Yigal St., Ramot 02, Jerusalem 97241, Israel

Hereby sell, assign and transfer to Teva Pharmaceutical Industries, Ltd.

a corporation of the State of

Israel having a place of business at 5 Basel Street, P.O. Box 3190

in the City of Petach-Tikva and State of Israel, 49131

its successors, assigns and legal representatives, the entire right, title and interest for all countries, in and to any and all inventions which are disclosed and claimed, and any and all inventions which are disclosed but not claimed, in the application for United States Patent, which has been executed by the undersigned on December 9, 2003; and is entitled December 10, 2003; May 9, 2004; December 23, 2003 and December 9, 2003

PROPARGYL-TRIFLUOROMETHOXY-AMINO-BENZOTHAZOLE DERIVATIVES

(U.S. Serial No. 10/718,879, filed November 20, 2003, claiming the benefit of U.S. Serial No. 60/428,093, filed November 21, 2002)

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for U.S. Letters Patent or other related property rights in any and all foreign countries which have been or shall be filed on any of said inventions disclosed in said application; and in and to all original and reissued patents or related foreign documents which have been or shall be issued on said inventions;

Authorize and request the Commissioner of Patents of the United States to issue to said Assignee, the corporation above named, its successors, assigns and legal representatives, in accordance with this assignment, any and all United States Letters Patent on said inventions or any of them disclosed in said application;

Agree that said Assignee may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 19 May 2004

Witness: Mali Bauman [signature]

Mali Bauman [printed name]

Maddah [address]

Emek Ayalon

ISRAEL

Jeffrey Sterling [L.S.]
Jeffrey Sterling

Date: _____ 20

Witness: _____ [signature]

_____ [printed name]

_____ [address]

Liat Hayardeny [L.S.]

Agree that said Assignee may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: _____ 20

Witness: _____ [signature]

_____ [printed name]

_____ [address]

Jeffrey Sterling [L.S.]

Date: 3.5 2004

Witness: Tamar Goren [signature]

Tamar Goren [printed name]

16 Haraz St. [address]

Rehovot, ISRAEL

Liat Hayardeny [L.S.]

Date: December 10 2003

Witness: _____ (signature)

Raphael Nadelman (printed name)

15 Miller St. (address)

Be'er Sheva, Israel

Date: _____ 20

Witness: _____ (signature)

_____ (printed name)

_____ (address)

Date: 9 Dec 2003

Witness: Rafi Bloch (signature)

RAFI BLOCH (printed name)

ELAZAR, 40 (address)

MOBILE POST, NORTH YEHODA

90942, ISRAEL

Eliezer Falb [L.S.]

Eliezer Falb

_____ [L.S.]

Yaacov Herzig

David Lerner [L.S.]

David Lerner

Date: _____ 20
Witness: _____ (signature)
_____ (printed name)
_____ (address)

Date: December 23 2003
Witness: _____ (signature)
Raphael Nudelman (printed name)
15 Miller St. (address)
Rehovot, Israel

Date: _____ 20
Witness: _____ (signature)
_____ (printed name)
_____ (address)

Eliezer Falb [L.S.]

Yaakov Herzog [L.S.]
Yaakov Herzog

David Lerner [L.S.]